

Legislative Audit Division

Montana Highway Patrol

Highway Patrol Division
Department of Justice

Performance Audit
June 2004
03P-09

Introduction The Legislative Audit Division conducted a performance audit of the Montana Highway Patrol (MHP). Our planning and fieldwork focused on MHP's ability to meet statutory mandates relative to public safety. In addition, we examined the organization's overall efficiency and effectiveness in achieving public safety responsibilities with existing resources.

MHP command stated the major challenge facing the agency was the issue of officer pay and retention. Additionally, MHP officials indicated the number of patrol officers had not changed since 1972 despite increases in Montana population, number of vehicles, and the number of miles driven on Montana highways. We also examined these MHP concerns.

Background In response to a highway fatality rate that led the nation, the MHP was established in 1935. At present, the MHP is the largest law enforcement agency in the state, with a current authorized strength of 206 uniformed personnel. MHP is responsible for enforcing Montana's traffic-related laws. Offenders may be issued a citation (ticket), as well as be arrested and jailed depending upon the violation. Traffic and motor vehicle regulation includes crash investigation and reporting. Annually, patrol officers drive more than 5.5 million miles, responding to over 70,000 calls for service and issue more than 100,000 warnings and 85,000 citations. During calendar year 2003, MHP officers investigated over 11,000 crashes.

MHP is organized into three bureaus: Field Forces, Field Services, and Management Services. There are a total of 274.55 authorized FTE for MHP operations. MHP personnel include officers, radio technicians, dispatchers, commercial vehicle inspectors, and administrative resources. The Field Forces Bureau, administered by a lieutenant colonel, manages MHP's seven districts, each commanded by a captain. Districts encompass several counties and are subdivided into detachments typically including two to three counties. The number of detachments in a district varies from three to five. There are a total of 25 detachments located across the state. Sergeants administer detachment activities, including supervision of 5-10 patrol officers assigned to various duty stations within the detachment area. A map on page 5 shows districts, and detachment office locations.

The Field Services Bureau is administered by a captain and includes five sections including: communications, fleet and supply, motor vehicle inspection, training and research, and the executive protection program for the Governor.

The third bureau, Management Services, is administered by a civilian and is responsible for all fiscal, personnel, and records management for the division. MHP is primarily funded primarily by Highways State Special Revenue funds. The source of this fund is fuel taxes and gross vehicle weight fees. The MHP budget uses approximately 11.2 percent of Highways State Special Revenue Account.

MHP Patrol and Non-Patrol Activities The primary day-to-day activity of an MHP officer is patrol of the Montana highway system. In addition to patrolling Montana's road system, MHP officers are involved in a variety of other duties and responsibilities ranging from inspection of commercial wreckers to public education. Officers also coordinate their activities with other law enforcement agencies by providing mutual aid, both when requested during emergency circumstances and through planned special event activities. Table 4 on page 12 lists MHP patrol and non-patrol activities for calendar years 2000 through 2003.

An officer can typically determine whether to patrol or conduct non-patrol activity. Patrol routes are also often at the officer's discretion and they have the discretion on whether to write a warning versus citation for most offenses. Sergeants supervise through detachment team meetings, telephone and radio contact, and in many cases email. Additionally, officers complete daily activity reports specifying activities completed and associated timeframes. Information from these reports is reviewed by the detachment sergeant. Sergeants also review citations issued by officers to evaluate statutory and policy compliance, as well as officer consistency. By policy, sergeants are also required to conduct quarterly rides with each officer to evaluate patrol performance and interaction with the public.

Technology Improvements MHP is in the midst of a significant upgrade of reporting and tracking systems used for command and control, patrol officer activity reporting, and crash investigation reporting. One of the most significant changes involves installation of mobile data terminals (MDTs), which are specialized laptop computers attached to the dashboard of patrol vehicles. MDT units have been installed in approximately 1/3rd of MHP's patrol vehicles, primarily in urban areas. MDT units allow officers direct access to state and federal data systems, provides email communication capability, and the terminals can be used to prepare daily as well as crash investigation reports. The purchase of more MDT units and continued installation will be spread over the next several years.

In addition to in-car technological changes, the MHP is centralizing statewide dispatch activity in Helena. Centralization was possible as a result of conversion to a computer-aided dispatch (CAD) system. MHP estimates full implementation by July 2004. The CAD system includes capability to incorporate global positioning system patrol vehicle tracking and an activity tracking capability known as the Records Management System. Implementation of this system is estimated for the end of calendar year 2004.

Improving Resource Utilization In Chapter III we review the statutory language associated with MHP, its mission, and present our analysis of MHP operations. To assess the potential for increasing the efficiency and effectiveness of the MHP, we also reviewed the types of activities conducted by patrol officers. We conclude MHP efficiency and effectiveness could be enhanced through priority establishment, increased

supervision of personnel, and improved management information collection and analysis. These areas are discussed in more detail in the following sections.

One concern initially described by MHP command was a reduction of on-the-road patrol capability due to assumption, over the years, of additional officer responsibilities. MHP management has established an organizational goal of 50 percent for officer patrol time. In other words, officers should spend at least half their on-duty time on traffic patrol. For calendar year 2003, the MHP reported patrol rate is 43 percent.

We reviewed the daily log for 32 officers for three non-consecutive months in 2002 and 2003 and compiled information on time spent on specific activities. Based on our review, we concluded patrol activity, measured in terms of enforcement is impacted by the wide range of obligations encountered day-to-day by officers.

Over the years, MHP has assumed responsibilities in addition to those directly related to traffic enforcement. Many of these responsibilities relate to a broad range of public service activities such as school safety education talks, support of local law enforcement, and various types of inspections. We believe MHP officers should focus resources on high-risk, non-discretionary and discretionary activities. To accomplish this, it is important for MHP command to identify alternatives for completing low-risk activities such as investigation of non-injury, low-dollar vehicle crashes, ATV and VIN inspections, etc. By focusing on high-risk activities, the amount of time officers spend on traffic patrol should increase. The alternatives for low-risk activities include:

- ▶ Reducing the required activity
- ▶ Concentrating or scheduling activities to reduce the total time expended by officers
- ▶ Contracting or using other resources for completion of the activity, and/or charging a fee

Patrol Officer Activity Reporting Designed in the early 1980's, the MHP's Monthly Activity Reporting System is a DOS-based computer system used to collect and report officer activities. Based on our review of activity reporting and how data is coded and utilized, we determined the current process should be improved to better assess MHP operations. The three primary deficiencies include:

- ▶ Inconsistent activity coding by officers
- ▶ Problematic patrol time definitions
- ▶ Activity information is not used by management to formally analyze MHP activities or to allocate personnel resources

In Chapter II, we discuss new technology acquisitions currently underway within MHP. With the planned technological upgrade, we believe the time is right to evaluate operational requirements and collect the type of information useful to supervisors and management. We also believe with modification, the current annual report issued by MHP could provide an appropriate venue for reporting operational effectiveness.

Patrol Officer Supervision During our review of field operations, we found many sergeants spend the majority of their time performing administrative duties rather than spending time on the road for patrol and direct officer supervision. We noted examples of sergeants recording over 90 percent of available time to non-patrol activities each month. According to sergeants we interviewed, the current supervision approach is paperwork intensive and the amount and type of personal guidance to officers concerning patrol versus non-patrol priorities is minimal. As a result, there are inconsistencies in officer patrol activities in area such as bond collection procedures, use of stationary radar, radio communications, and determinations of minimal speeds for making stops and issuing tickets or warnings.

While none of the noted inconsistencies by themselves suggest systemic concerns with the quality of MHP field operations, they do infer a lack of comprehensive supervisory assurance all officers comply with established MHP policy and procedure. Historically, states including Montana increased the number of officers and highway patrol presence in response to increases in crashes and fatality rates. We believe the MHP presence on Montana's roadways can be increased by diverting sergeant time from office administration and paperwork supervision to patrol and on-the-road supervision. This could be accomplished by taking advantage of new technologies and internal re-prioritization of administrative duties.

We recommend MHP implement a pilot project to evaluate the recommendation for a more patrol-oriented approach to supervision. Following the pilot project, MHP should assess administrative requirements to determine what happened to field operations when administrative requirements were delayed or not accomplished at all. Similar to the alternatives listed in the patrol priority section, we believe the list of options to sergeants being "desk bound", should include utilizing contracts and retired law enforcement officers, and/or establishing criteria for justification for part-time administrative support staff to assume some sergeant tasks.

Review of MHP Personnel Issues As noted in the introduction, MHP command identified officer pay and retention as the largest challenge facing the agency. In Chapter IV we present information that shows MHP officer salary is lower than law enforcement personnel in selected Montana counties and there is an increase in the percentage of officer turnover in the past five years. This issue is an area for legislative consideration.

MHP Officer Pay Is Not Competitive With Applicable External Markets On page 43, (Table 6) we show the starting hourly salaries for deputy sheriffs in selected Montana counties and compare them with an MHP officer's starting salary. The information shows, depending on location, an MHP officer who decides to switch to a county agency can make from \$1.90 to \$5.39 more per hour to start. While not all county law enforcement agencies in Montana pay the salaries listed, we noted typically MHP is not competing with the lower population counties which normally have lower salaries. In addition, our examination shows the majority of MHP turnover occurred from officers located in the eight counties identified in the table.

Retention: Why MHP Officers Are Leaving The Patrol MHP command conducts employee exit interviews with all officers who leave the agency. Figure 7 on page 47 shows officer reasons for leaving MHP over the past ten years. Of the 163 officers who left, 55 or 33.7 percent left MHP for pay increases with local law enforcement agencies.

Review of the termination dates revealed thirty-five officers or 43 percent left during the last five years. This trend appears to show accelerating turnover. If the trend continues, MHP would see more than 50 percent of their turnover consisting of officers leaving for local law enforcement agencies within the next four to five years.

Summary And Conclusion MHP believes officer pay should be comparable with Montana's municipal and county law enforcement agencies. The data compiled indicates MHP is losing officers to the agencies which pay higher salaries. We also found recruitment of law enforcement personnel has become more competitive in the last decade. Municipal and county agency officials indicated it is becoming more difficult to recruit qualified applicants, and these local law enforcement agencies currently have the advantage of a more competitive compensation package than MHP. While the number of qualified applicants has decreased, municipal and county law enforcement agencies cite the need for increasing skills and professionalism in their personnel. These officials support a need to increase initial officer qualifications given the demands of the profession. We believe the MHP should accurately reflect the increasing complexity of officer duties in the current job description, review and revise the recruit qualification criteria, and if necessary request a classification review of the officer position.